

CHAPTER 2

MILITARY JUSTICE AND BEARING

Ever since the beginning of navies, there have been laws peculiarly applicable to the sea and seafaring people.

—Rear Admiral Albert E. Jarrell, USN

Every state and city in the United States has laws against murder, robbery, and assault. There also are laws for safety, traffic safety, fire prevention, and the good order of the populace. To discourage lawbreakers, federal, state, and local governments set up penalties that are proportionate to the crimes committed. The penalties range from fines for minor infractions of the law, to long-term jail sentences for offenses such as robbery, assault, or manslaughter, to execution for murder.

The Navy is no different. We have laws and regulations to govern us in much the same way as the governments mentioned above govern civilians. For example, we punish crimes of theft, assault, and murder as severely as the civilian community. In addition to those regulations, the Navy has laws that are peculiar only to the military establishment.

The laws and regulations that govern us in the Navy exist to help, not hinder, us. In any organization, discipline and justice are essential. In this chapter, you will be presented with material about proper military conduct, discipline, punishment, justice, and uniform regulations in the United States Navy.

PETTY OFFICER'S AUTHORITY

Learning Objectives: Recognize the difference between general authority and organizational authority. Recall nonpunitive measures available to supervisors.

Authority is a necessary leadership tool. However, it can never take the place of strong, positive leadership. When you make petty officer third class and later when you advance in rate as a petty officer (PO), you often will need to consider your authority and the effect your use of it will have on the people for whom you are responsible.

Authority ties directly to your duties and responsibilities. The exercise of authority links to your acceptance of responsibility. You are given authority only to support you in carrying out your assigned duties

and responsibilities. You have “general authority” as a petty officer by virtue of your position in the Navy organization, and you have “organizational authority” by virtue of the particular billet you are holding.

GENERAL AUTHORITY

Your general authority as a PO stems from article 1037 of *U.S. Navy Regulations* (Authority of Warrant Officers, Non-Commissioned Officers and Petty Officers). Article 1020 (Exercise of Authority) gives you the right to exercise authority over all persons subordinate to you. Article 1132 (Compliance with Lawful Orders) charges subordinates to obey their superiors.

ORGANIZATIONAL AUTHORITY

Petty officers derive their organizational authority from their assigned billets within a particular command. This command organizational structure comes from *Standard Organization and Regulations of the U.S. Navy*. That Navy instruction provides regulations and guidance governing the conduct of all members of the Navy. It also specifies the individual duties and responsibilities of personnel within a unit organization from the commanding officer down to the messenger of the watch. Articles 1020 and 1037 of *U.S. Navy Regulations* grant officers, warrant officers, and petty officers the authority needed to perform their duties.

Authority includes the right to require action of others. We direct the actions of others by oral or written orders that are subject to general limitations. Orders must be lawful since subordinates are required to obey lawful orders only (article 1132, *U.S. Navy Regulations*). We must not characterize orders with tyrannical or capricious conduct (an erratic change in behavior) or by abusive language (article 1023, *U.S. Navy Regulations*). Since authority is given only to fulfill duties and responsibilities, we need to delegate only as much organizational authority as necessary to

fulfill those duties and responsibilities. Delegation should never be made beyond the lowest level of competence. Limitations, therefore, may be set by command.

LAWFUL ORDERS

An order must be lawful. Any order imposing punishment outside the framework of the *Uniform Code of Military Justice (UCMJ)* is unlawful. Punishment may only be through the judicial process or nonjudicially through article 15 of the *UCMJ* (commanding officer's nonjudicial punishment). However, petty officers may take certain measures to correct minor infractions that do not merit punishment under article 15 of the *UCMJ*. The following nonpunitive measures are available to supervisors through their commanding officers.

Extra Military Instruction

Extra military instruction (EMI) is a type of military duty used to correct a deficiency of an individual. EMI is a nonpunitive measure approved by the *Manual for Courts-Martial* and outlined in the *Manual of the Judge Advocate General*. EMI is a training device intended to improve efficiency of a command or unit. EMI is intended as a corrective measure. Therefore, you must give EMI with the intention of correcting a deficiency in performance of military duty, not with the intention of substituting it for punitive action under the *UCMJ*. EMI must have a logical relationship to the deficiency you are correcting.

The duration of EMI is only for the period required to correct the performance deficiency. Normally, EMI assignments are for no more than 2 hours per day. EMI is done at a reasonable time outside normal working hours. Its purpose is not to deprive a member of normal liberty. EMI is not to be done on a person's Sabbath. A member who has entitlement to liberty may begin normal liberty upon completion of EMI. The authority to assign EMI rests with the commanding officer, but delegation of the authority to assign EMI may be part of a normal supervisory task. Permission for delegation of authority ordinarily is not given below the chief petty officer (CPO) level. However, in exceptional cases when qualified petty officers are filling CPO billets in an organizational unit (division, major work center, or comparable organization) that contains no CPO, the authority may be delegated to a senior petty officer.

Withholding of Privileges

The temporary withholding of a privilege is another nonpunitive measure. Supervisors can use this measure to correct minor infractions of military regulations or performance deficiencies. A privilege is a benefit provided for the convenience or enjoyment of an individual. Some examples of privileges that we can withhold as nonpunitive measures are special liberty, exchange of duty, special command programs, the use of base or ship libraries, base or ship movies, base parking, and base special services events.

The final authority to withhold a privilege rests with the authority that grants the privilege. Thus, at times you only can recommend the withholding of a privilege through your chain of command. However, when you think it is necessary, you should make the recommendation. The action could correct a minor infraction, thereby increasing the efficiency of your division.

Extension of Working Hours

Deprivation of normal liberty as a punishment, except as specifically authorized under the *UCMJ*, is illegal. Supervisors cannot deny personnel normal liberty as a punishment for any offense or for poor performance of duty. However, supervisors can require personnel to perform tasks efficiently and in a timely manner. Thus, naval personnel are not receiving punishment when they have to remain on board outside of normal working hours to complete work assignments, perform additional essential work, or maintain the required level of operational readiness. Supervisors must inform their superiors when they intend to direct subordinates to work beyond normal working hours. Remember that the work must be essential, must have a readiness requirement, or must be work that should have been finished during the normal workday.

REVIEW QUESTIONS

- Q1. The purpose of EMI is to correct a training deficiency and deprive normal liberty.
1. True
 2. False
- Q2. EMI can NOT be assigned and conducted on the Sabbath.
1. True
 2. False

PETTY OFFICER'S RESPONSIBILITY

Learning Objectives: Recognize the importance of informing the chain of command (COC) on matters pertaining to good order and discipline. Recall procedures for reporting an offense. Recognize the proceedings leading to captain's mast. Identify the procedures for redress of grievances/complaints of wrongs. Identify the composition of courts-martial. Recognize which violations should or should not be reported.

When you become a PO, your position in the Navy changes. You become a leader with authority. The rating badge symbolizes delegation of this authority by the Navy.

The responsibilities of a petty officer are not always easy to carry out. You have to make decisions, plan jobs, and take the blame if plans go wrong. You have to lead your people, teach them, and correct them. You can't always be a "good guy." You have to give orders and that can be harder than following them.

The higher you advance, the greater your responsibilities. Is the advancement worth the responsibilities you will have? *Yes*. A strong PO is willing to shoulder the burden of increased responsibility to make the Navy a better, more efficient force.

As a petty officer, occasionally you will have to warn, reprimand, or even place personnel on report. Although these tasks may be disagreeable to you, they are part of the responsibility of a PO.

Standard Organization and Regulations of the U.S. Navy, OPNAVINST 3120.32, states the following: "Authority should be delegated to the lowest level of competence commensurate with the subordinate's assigned responsibility and capabilities. The principles of delegation, however, also recognize that officers at all levels must be accountable ultimately for the performance of their organizational segments even if they have charged subordinates with immediate authority for managing certain functions." That, in effect, means although you may assign a task to your subordinates, you are still responsible to your superiors for its accomplishment. A good leader does not tell his or her supervisor, "I gave that job to Seaman Recruit John R. Doe, but he messed it up." Rather, he says, "I will do better next time." That leader then pays more attention to Seaman Recruit Doe's training and job performance to be sure John R. Doe understands the job and its importance.

REPORTING VIOLATIONS

The hardest job for a PO to do is to place a person on report. After that happens, the petty officer always wonders if there could have been another way to handle the situation. One of your duties as a PO is to start disciplinary action wherever and whenever the need arises.

Every petty officer is an important part of the disciplinary chain of command. You must show offenders that the command will punish improper conduct, especially cases of willful violation.

Your responsibility as a petty officer never ends. It is a 24-hour-per-day duty that can be very trying at times. For example, when people are ashore "winding down" after a long period at sea, a demanding fleet exercise, or even actual combat, rivalries sometimes form. Rivalries are healthy until the Sailors imbibe in too many spirits or carry the rivalry too far. These situations rarely occur; but when they do, responsible petty officers must act. If you are the senior petty officer present when a fight breaks out in a liberty boat or when a brawl involving enlisted personnel starts in town, you must help in quieting the disturbance, whether an officer is present or not. If you face such a situation and you do your job to the best of your ability, you can be proud.

If an enlisted person violates a regulation in the presence of both an officer and a petty officer, the petty officer should correct the person. Failing to correct the person could result in a reprimand for the petty officer. Figure 2-1 shows three official sources for basic disciplinary laws. The *UCMJ* is an appendix of the *Manual for Courts-Martial*.

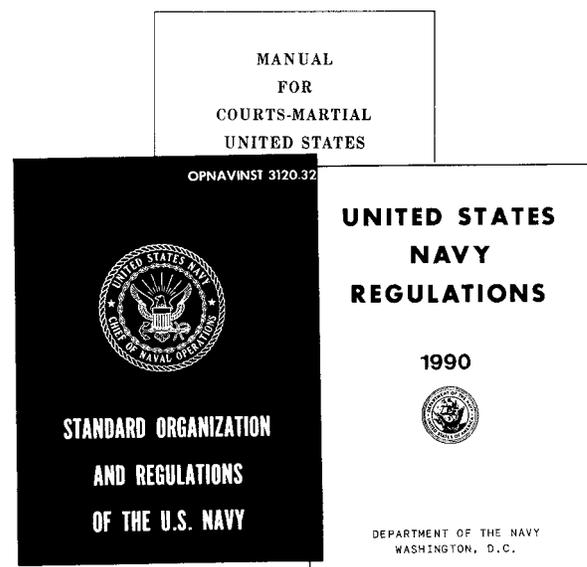


Figure 2-1. Three official sources for basic disciplinary laws.

The best form of discipline is positive action geared to prevent disciplinary problems before they happen. Effective leaders use that type of discipline to help persons understand the need for regulations and the need to abide by them. To receive loyalty and willing obedience from those under you, you must set an example of high personal standards and moral conduct.

In setting a proper example for your people, how can you report somebody for being out of uniform if you show up at muster looking like you have slept in your uniform for 3 days? If you show up late for muster, reporting one of your people for showing up late would be unfair. So, you must set the example and maintain the highest standards for your people to follow. Remember, the way you act is also the way your people will act.

Each time a petty officer helps a shipmate keep a clean record, that PO is living up to the highest traditions of the Navy. Except for major infractions of the *UCMJ*, putting people on report should be done only as a last resort. You always should try other methods of correction—appeal to pride, disapproval of special requests (which emphasizes that approval of special requests is for the more deserving), encourage team spirit, and so forth—first. Only after you try other methods of correction and those fail should you place an enlisted person on report for a minor offense.

The Navy has personnel of high caliber who can be trusted and who do their work well. However, many of them will at some time commit an infraction, such as accidentally being out of uniform, being a couple of minutes late to quarters, or failing to salute an officer. You would be unwise to place people on report for trivial offenses. You should use initiative and common sense to help keep them out of trouble. Repeatedly putting persons on report for minor infractions reflects on your leadership ability, and you will soon find yourself heartily disliked by personnel under you. On the other hand, the “good guy” who tries to maintain popularity and never reports a person is a menace to discipline and a nuisance to all petty officers.

REVIEW QUESTION

- Q3. Your responsibilities as a petty officer end when you are on liberty.
1. True
 2. False

Report of Offense Processing

In spite of your best efforts and those of the division officer, some personnel will be, among other things, insubordinate, indifferent to wearing the proper uniform, and lax in relieving watches on time. Some also will mangle or fight. Those are the people who must be put on report, unpleasant though it may be. All you are doing is reporting to the commanding officer a violation of military order or discipline; the captain decides whether to punish the person.

Placing a person on report (starting a charge against the individual) means letting the proper authority (CO, XO, CDO, OOD, legal officer, military police, security or MAA force, or any superior in the chain of command) know about the apparent misconduct. Your notification can be oral or in the form of a written report chit. If your command has a locally prepared report chit, you should use that form; otherwise, you can use the standard Navy report chit, Report and Disposition of Offense(s), NAVPERS 1626/7, as shown in figure 2-2. Whichever form you use, make your report as complete, accurate, and specific as possible.

Figure 2-2 shows the correct manner for completing the NAVPERS 1626/7. Be sure to include the following information: date of report; accused’s name, rate, social security number, branch of service, and division; date and place of offense (including the pertinent article of the *UCMJ*, if known); complete identification of all witnesses; and your rate and signature. The unit legal office usually will type your initial report chit in proper form for record purposes, so the accuracy and the completeness of the information you submit are important. In addition, investigation of the report chit is easier if you include adequate information. If you use the NAVPERS 1626/7, do not concern yourself with any part of the form after the portion about article 31, *UCMJ* (compulsory self-incrimination prohibited), which explains the rights of the accused. The legal office personnel will complete the remainder of the form.

The next step in the processing of a report chit is for the commanding officer to assign a junior officer or senior petty officer to conduct a preliminary inquiry of the alleged offense(s). The results of the preliminary inquiry then go to the executive officer’s inquiry (XOI), also known as a screening mast. At the XOI, the executive officer will either dismiss the report chit or forward it to the commanding officer for captain’s mast. At captain’s mast, the commanding officer will review the report chit, the results of the preliminary

REPORT AND DISPOSITION OF OFFENSE(S) NAVPERS 1626/7 (REV. 8-81) B/N 0106-LF-016-2838						
To: Commanding Officer, <u>USS ALBUQUERQUE (SSN-706)</u>				Date of Report: <u>9 September 1991</u>		
1. I hereby report the following named person for the offense(s) noted:						
NAME OF ACCUSED	SERIAL NO.	SOCIAL SECURITY NO	RATE/GRADE	BR. & CLASS	DIV/DEPT	
Boat, Paul T.	-	123-45-6789	TMSN (SS)	USN	TM/WEAPONS	
PLACE OF OFFENSE(S)			DATE OF OFFENSE(S)			
1. USS ALBUQUERQUE (SSN-706)			1. 8 September 1991			
2. GROTON, CT			2. 9 September 1991			
DETAILS OF OFFENSE(S) (Refer by article of UCMJ, if known. If unauthorized absence, give following info: time and date of commencement, whether over leave or liberty, time and date of apprehension or surrender and arrival on board, loss of ID card and/or liberty card, etc.):						
1. Viol. Art. 86, UCMJ--UA. Boat failed to appear for routine morning muster at 0730, 8 September 1991 and could not be found within this command until delivered back aboard by Shore Patrol at 1430, 9 September 1991.						
2. Viol. Art. 92, UCMJ--Failure to obey a lawful order. Shore Patrol apprehended Boat in Big Lucy's Ranch, New London, Ct, (an off-limits establishment) on 9 September 1991; at time of apprehension Boat was requested to produce his ID card but did not have it in his possession.						
NAME OF WITNESS	RATE/GRADE	DIV/DEPT	NAME OF WITNESS	RATE/GRADE	DIV/DEPT	
John A. Doe	BMCS	1st				
Jane B. Doe	BMCS	3d				
Jack R. Frost	Detective	New London Police Dept.				
BMCS, USN, Shore Patrol			John A. Doe			
(Rate/Grade/Title of person submitting report)			(Signature of person submitting report)			
I have been informed of the nature of the accusation(s) against me. I understand I do not have to answer any questions or make any statement regarding the offense(s) of which I am accused or suspected. However, I understand any statement made or questions answered by me may be used as evidence against me in event of trial by court-martial (Article 31, UCMJ).						
Witness: <u>Floss A. Brush, CDR, USN</u>			Acknowledged: <u>Paul T. Boat</u>			
(Signature)			(Signature of Accused)			
PRE-MAST RESTRAINT	<input type="checkbox"/> PRE TRIAL CONFINEMENT		<input type="checkbox"/> RESTRICTED: You are restricted to the limits of _____			
	<input type="checkbox"/> NO RESTRICTIONS		in lieu of arrest by order of the CO. Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits except with the express permission of the CO or XO. You have been informed of the times and places which you are required to muster.			
(Signature and title of person imposing restraints)			(Signature of Accused)			
INFORMATION CONCERNING ACCUSED						
CURRENT ENL. DATE	EXPIRATION	CURRENT ENL. DATE	TOTAL ACTIVE NAVAL SERVICE	TOTAL SERVICE ON BOARD	EDUCATION	AGE
1 JAN 1986	31 DEC 1991		4 YRS 1 MO	9 MOS	13 (1 YR College)	62
MARITAL STATUS	NO. DEPENDENTS	CONTRIBUTION TO FAMILY OR QTRS ALLOWANCE (Amount required by law)		PAY PER MONTH (Including sea or foreign duty pay, if any)		
Married	2	NONE		BP - 1001.40 SUB - 95.00 SEADU - None		
RECORD OF PREVIOUS OFFENSE(S) (Date, type, action taken, etc. Nonjudicial punishment incidents are to be included.)						
NONE						

Figure 2-2. Report and Disposition of Offense(s), NAVPERS 1626/7 (Rev. 8-81).

inquiry, the statements of the witnesses and the accused, and any evidence connected with the case. The commanding officer then will dismiss the case, award nonjudicial punishment, or refer the case to a court-martial. If the preliminary inquiry, XO, or captain's mast involves you in any way, your participation will be as a witness.

The reverse side of the form concerns disposition of the case, preliminary investigation results and recommendations, actions of the executive and

commanding officers, and final administrative action (appeal, service record entry, etc.).

REVIEW QUESTION

Q4. When placing a person on report, you may orally notify the COC.

1. True
2. False

Rights of the Accused

One area deserves special caution: preservation of the subject's rights. Under article 31, *UCMJ*, an official must inform all suspects of the charges against them and of their right to remain silent. That official must advise suspects that anything they say may be used as evidence against them at a trial by court-martial. Under other provisions of law, a suspect also may have a right to legal counsel before and during any interview. The official must advise suspects of those rights and provide them with the opportunity to exercise those rights before questioning them. Failure to do so could prevent the use of self-incriminating statements made by suspects in disciplinary proceedings. That could result in the loss of the entire case.

You should not question any suspect, but should leave that task to personnel with proper training, such as legal or law enforcement personnel. In some cases though, you may have to question the person you are placing on report about the offense(s) he or she allegedly committed. If this situation does occur, make sure you properly advise that person of his or her rights under article 31 of the *UCMJ*.

Remember that the report chit you start—the act of placing someone on report for violating the *UCMJ*—could eventually lead to a court-martial of that person.

REVIEW QUESTION

- Q5. Under article 31 of the *UCMJ* special caution is cited for which of the following areas?
1. Preservation of the accused's rights
 2. Right to see the results of inquiry
 3. Preservation of the identity of the accuser
 4. Communication with the accuser

Redress of Grievances/Complaints of Wrongs

As a second class petty officer, you need to be aware that under article 138 of the *UCMJ* “any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the officer

exercising general court-martial jurisdiction over the officer against whom it is made. The officer exercising general court-martial jurisdiction shall examine into the complaint and take proper measures for redressing the wrong complained of; and shall, as soon as possible, send to the Secretary concerned a true statement of that complaint, with the proceedings had thereon.”

In addition, under article 1150, *United States Naval Regulations*, “if any person in the naval service considers himself wronged by an act, omission, decision, or order of a person who is superior in rank, or command, that member shall not fail in maintaining a respectful bearing toward such superior, but may report the wrong to the proper authority for redress in the manner provided in this article.” The report should clearly identify the respondent (the superior against whom it is made), the wrong complained of, and the redress desired. A complainant (the person submitting a report under this article) may be held accountable by the officer responsible for the resolution of the report if the report is found to be vexatious, frivolous, or false. The report may not be joined with reports by other complainants.

A complaint of wrong does not apply when a subordinate complains about another petty officer shouting at him or her or a similar incident that can be handled at a lower level in the chain of command. A complaint of wrong is a very serious charge and should not be made lightly. The first step is to seek advice from someone in authority. Consult with a division officer, command master chief, leading chief petty officer, or the appropriate official for the situation. Then request a review. The *Manual for the Judge Advocate General*, JAGINST 5800.7, chapter III, gives further guidance for filing a complaint.

REVIEW QUESTION

- Q6. What is the first step a petty officer must do when considering a complaint of wrong?
1. Tell the commanding officer
 2. Seek advice from someone in authority
 3. Put in a request chit
 4. Start a preliminary investigation

Courts-Martial

Based on article 16 of the *UCMJ*, courts-martial are of three types—summary, special, and general. The captain decides the type of court-martial to award based on the nature, time, and place of the offense.

A summary court-martial (SCM) consists of one commissioned officer. If there is only one commissioned officer with the command, that officer acts as the summary court officer. A summary court can award any sentence that may be given at mast. It also can award the additional punishments of confinement for 1 month, hard labor without confinement for 45 days, restriction for 2 months, or forfeiture of two-thirds pay per month for 1 month.

A special court-martial (SPCM) consists of not less than three members. The accused can request that enlisted personnel serve on the court. In that event, enlisted personnel make up at least one third of the court membership. The accused has the right to consult with a defense counsel and to request that the court consist of only the military judge. A SPCM may award a more severe punishment than a SCM. For example, it can award a bad-conduct discharge, confinement for 6 months, loss of two-thirds pay per month for 6 months, and hard labor without confinement for 3 months.

A general court-martial (GCM) consists of a military judge and not less than five members. As in a special court-martial, the accused may request that enlisted personnel serve on the court. Under the conditions described for a SPCM, the accused may request that the court consist of only a military judge. A GCM can award any punishment not forbidden by the *UCMJ*, including death when specifically authorized for the offense.

All accused persons have the right to be represented before special and general courts-martial by defense counsel. This counsel may be a civilian attorney, at the expense of the accused, or a military attorney detailed to represent the accused.

REVIEW QUESTION

- Q7. Who decides which type of court-martial to award?
1. Accuser
 2. Accused
 3. Executive officer
 4. Commanding officer

USING JUDGMENT IN REPORTING VIOLATIONS

The need for using good judgment is vital in reporting violations. Some violations are minor in nature and some are major. As a petty officer, you need to become familiar with separating the two. Good judgment ability is not an inherited trait. You must develop it over a period of time. You have to develop the ability to decide and to form an opinion objectively when you report violations of the *UCMJ*. The judgment you use may affect the rest of a person's naval career.

You are going to see violations of the *UCMJ* every day. Some will be minor and some will be major. If you see a violation, stop for a minute to think before you act. You cannot smile away a violation one day and rebuke it the next. Under these conditions personnel don't know where they stand. At times you need only offer a word of caution to correct a problem. At other times you may need to take more action.

Study your personnel, watch them, learn their language and points of view, work with them, guide them, and counsel them. Then, you can commend the good personnel and, as often as you must, report the bad ones without fear or favor.

If you were to report minor violations all the time, you would bog down our justice system; and your effectiveness as a leader would rapidly decline. Remember to stop and think before you act. Use discretion in reporting a violation.

Violations That Should Be Reported

Remember, a violation is a violation and should not go unanswered. At times your judgment as a petty officer comes into play. You need to take a hard look at the violation and see if it warrants reporting.

Some examples of offenses that normally warrant reporting (major violations) are as follows:

- Assault of a superior commissioned officer or willful disobedience of a superior commissioned officer's orders
- Disrespect towards a superior commissioned officer
- Being drunk while on duty
- Drunken or reckless driving
- Willful destruction of government property

Those are only a few of the violations you must report. For a complete picture of the violations you must report, examine the *Uniform Code of Military Justice (UCMJ)*. Doing so will help you recognize offenses which are major violations.

Violations That Should Not Be Reported

Now that you have read about some of the major violations you should report, consider some minor violations you should not report. These simply involve inadequate behavior that stems from not doing the job or meeting standards. Some examples are as follows:

- Being late from time to time for routine muster
- Falling down on the job from time to time and also lack of attention to nonvital details
- Occasionally not completing work on time

This type of behavior usually is not serious enough for placing a person on report. However, it does require some form of action by you, such as counseling, lowering of evaluations, extension of working hours, or withholding of special privileges for a time. Be mindful that this type of behavior is usually minor in nature but also may be the beginning of a behavior pattern leading to something more serious. Reporting minor offenses that are not habitual or extreme burdens the legal system unnecessarily and tells your superiors you are not fulfilling your responsibility as a leader to counsel and discipline your subordinates. That does not mean reporting an offender shows a failure on your part. Just be sure you have done everything in your power to straighten out an offender before placing him or her on report for repeated minor offenses.

REVIEW QUESTION

- Q8. Being late for a routine muster is an offense that must be reported.
1. True
 2. False

UNIFORMS

Learning Objectives: Identify how to conduct sea-bag inspections. Identify the correct manner of wearing a petty officer's insignias.

Uniforms are observed and evaluated as part of military bearing. Each Sailor was issued an allowance

of uniforms and accessories upon joining the Navy and is subsequently charged with upkeep, maintenance, and proper use of each garment. As petty officers, we not only must be mindful of our appearance but we must compliment or correct our subordinates' appearance. Observations on appearance must be part of each Sailor's training in order for them to set a good example. With this in mind, we should be knowledgeable of the various uniforms and the correct way to wear those uniforms.

SEA-BAG INSPECTIONS

As part of a Sailor's general military duties, a second class petty officer may be assigned to hold sea-bag inspections. Initial uniform requirements for enlisted personnel will be provided at the Recruit Training Center in compliance with DoD Directive 1338.5 and DoD Instruction 1338.18, *Armed Forces Clothing Monetary Allowance Policy and Procedures*. Individuals are responsible for properly maintaining uniforms appropriate to assigned duties. The minimum numbers of uniform components required are listed in *United States Navy Uniform Regulations*, NAVPERS 15665. The *United States Navy Uniform Regulations* also states that commanding officers shall require clothing of all E-1/E-2/E-3 personnel to be inspected at regular intervals to ensure that each person possesses a complete sea bag. Clothing of petty officers (E-4/E-5/E-6) may be inspected on an individual basis as appropriate. Only those items listed in tables found in the *Uniform Regulations* may be required for uniform sea-bag inspection. Prior to transfer to another ship or station the sea bags of all E-1/E-2/E-3 personnel shall be inspected, and the individual shall be required to have at least the items and quantities indicated in tables found in the *Uniform Regulations*. In addition, inspections often are held on individuals placed on restriction or those returning from an unauthorized status.

The sea-bag allowance is reviewed on regular bases. This means that to perform sea-bag inspections, a current copy of the *Uniform Regulations* along with current changes must be obtained and used to perform the inspection. Anytime an inspection is held the person being inspected shall have all items as required by the *Uniform Regulations*. Remember these required items are supported for upkeep, replacement, and maintenance by annual clothing allowances. No excuses should be accepted for not having the required sea bag.

The *Uniform Regulations* call for uniform components of E-1 through E-6 personnel to have

ownership markings. Markings shall be a stencil consisting of owner's surname and last four digits of owner's social security number placed inside the garment as outlined in *Uniform Regulations*. Stencil letters shall be approximately 1/2-inch high and blocked. Markings shall be black on white uniforms, and white on blue uniforms. Blue chambray/utility shirts shall be marked in black. Blue working jackets and dungaree/utility trousers shall be marked in white. Embroidered letters on chambray/utility shirts, dungarees/utility trousers, and blue working jackets shall be approximately 1/2-inch high and blocked. Embroidered letters on camouflage uniforms and Navy coveralls shall be approximately 3/4-inch high and blocked. Name tape shall match color and fabric of the uniform component and shall be the length of the width of the pocket. Blue chambray/utility shirts shall be embroidered in black. Blue working jackets and dungaree/utility trousers shall be embroidered in white. Coveralls shall be embroidered in silver for E-6 and below. There are many other uniform requirements. Therefore, *Uniform Regulations* must be reviewed for current information.

When charged with holding sea-bag inspections consult local instructions for prescribed procedures. The petty officer assigned to hold sea-bag inspections could use the following as a guide for the inspection:

- Prescribe a time and a place to hold the inspection. Remember the sea bag contains many items, so room for the items to be laid out will be needed.
- Have a current list of all required items along with a copy of the stencil marking section from the *Uniform Regulations*.
- Instruct the person to present each item as you call it off the list, or the person can present an item and you can mark it off the list. Remember to check the quantity of each item.
- Check the clothing for required stenciling and other required markings.
- When the inspection is complete, have the person sign the inspection list to acknowledge items missing, needing replacement, or maintenance.

PETTY OFFICER'S INSIGNIA

As a petty officer, you should set an example for subordinates both in conduct and in appearance. An

important part of your appearance is the manner in which you wear your uniform and insignia. The term *insignia* includes cloth rating badges, which are worn on the left sleeve of your uniform, collar insignia, and insignia worn on military headgear.

Rating Badges

Rating badges for petty officers differ according to paygrade, specialty, size, and color. They consist of a perched eagle with extended wings pointing upward and its head facing right. As shown in figure 2-3, chevrons, indicating the wearer's rate, and a specialty mark, indicating the wearer's rating, make up the badge. Rating badges worn on blue working jackets and chambray shirts have no specialty mark. Chambray iron-on or sew-on rating badges are permitted on chambray shirts. Chevrons on rating badges for men, E-4 through E-6, measure 3 1/4 inches wide. Chevrons on women's rating badges measure 2 1/2 inches wide and their rating insignia are three fourths of the size of men's insignia. The men's size rating badge is worn on the pea coat whether the pea coat is worn by a man or a woman.



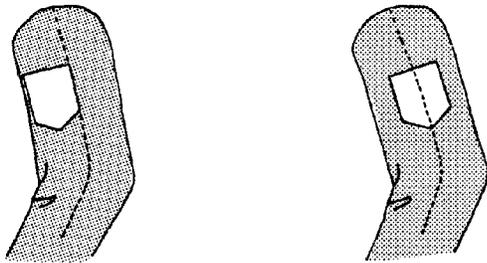
Figure 2-3. E-4, E-5, and E-6 rating badges.

Standard navy blue rating badges have embroidered backgrounds and are worn on navy blue uniforms. You may wear navy blue badges mounted on fabric which matches the fabric color and cleaning characteristics of the uniform on which it is worn. Rating badges with white backgrounds match the fabric of uniforms on which they are worn. Colors of the eagle, specialty mark, chevrons, and service stripes for prescribed uniforms and components are described in table 2-1.

Table 2-1. Proper Badge/Uniform Combination

Uniform	Rating Badge Background	Eagle/ Specialty Mark	Chevrons Service Stripes ¹
Service Dress Blue	Navy Blue	White/Silver	Scarlet/Gold ²
Service Dress White	White	Blue	Blue
Summer White	White	Blue	Blue
Winter Blue/ Winter Working Blue	Navy Blue	White	Scarlet
Dungaree	Blue Chambray	Dark Blue (Eagle Only)	Dark Blue
Pea Coat	Navy Blue	White	Scarlet
Overcoat (E-4/E-5/E-6 Women)	Navy Blue	White	Scarlet
Blue Working Jacket	Medium Blue	White (Eagle Only)	Scarlet
¹ Service stripes are worn on Dress Blue/Service Dress White uniforms for men and Service Dress Blue only for women.			
² Gold service stripes and gold chevrons, when authorized, are only worn on the Service Dress Blue uniforms.			

Rating badges are worn on the left sleeve of the garment; centered vertically between the shoulder seam and the elbow, as shown in figure 2-4.



MATERNITY BLUE SHIRTS
SERVICE DRESS JUMPERS
WHITE SHIRTS (SS ONLY)
BLUE SHIRTS
DUNGAREE SHIRTS

OVERCOAT (E-4/E-5/E-6 WOMEN)
SERVICE DRESS COATS
PEACOATS
BLUE WORKING JACKETS

Figure 2-4. Proper positioning of rating badges.

Collar Devices

Petty officers in paygrades E-4 through E-6 wear pewter miniature collar devices on collar tips of the blue windbreaker and the blue raincoat. The collar device depicts a perched eagle over chevrons indicating the wearer's rate. Center the insignia 1 inch from the front and lower edges of the collar and place the vertical axis of the insignia along an imaginary line bisecting the angle of the collar point, as shown in figure 2-5. The perched eagles face toward the front (inward).

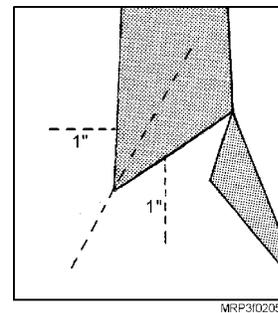


Figure 2-5. Proper positioning of collar devices.

Cap Devices

You are already familiar with the cap device for E-1 through E-6 personnel. It consists of an oxidized, silver, spread eagle, with oxidized silver block letters "USN" placed horizontally between the wing tips and centered above the eagle's head.

This device is worn on the women's combination hat, garrison cap, and beret. It also is worn on the tropical helmet.

Service stripes are worn on Dress Blue/Service Dress White uniforms for men and Service Dress Blue only for women.

Gold service stripes and gold chevrons, when authorized, are only worn on the Service Dress Blue uniforms.

With local prescribing authority authorization, petty officers may wear insignias on command ball caps. The insignias worn on ball caps consist of an eagle and chevrons of either silver or bright gold finish. Petty officers entitled to wear gold rating badges and service stripes on their Service Dress Blue uniforms wear gold chevrons vice silver on their cap device. The device is centered on the front of the ball cap 1 1/4 inches above the visor. This command ball cap insignia may be worn by E-4 through E-6 personnel.

REVIEW QUESTION

- Q9. Chevrons on rating badges worn on the pea coat of both male and female Sailors measure 3 1/4 inches wide.
1. True
 2. False
-

GROOMING STANDARDS

Learning Objective: Recognize the regulations concerning male and female grooming standards.

Grooming standards are based on several elements—including neatness, cleanliness, safety, military image, and appearance in uniform. The standards are not intended to be overly restrictive or designed to isolate Navy men and women from society. The limits are reasonable; they ensure that personal appearance contributes to a favorable military image, yet they allow a degree of individuality. The seeming difference between the policy on grooming for male and female members is simply recognition that there is a difference between the sexes—mustaches and sideburns for men, longer hair and cosmetics for women.

GROOMING STANDARDS FOR MEN

Hair will be neat and clean and present a groomed appearance. Hair above the ears and around the neck will be tapered from the lower hairline upward at least 3/4 inch. Hair on the back of the neck may not touch the collar. Hair will be no longer than 4 inches and groomed so that it does not touch the ears or collar, extend below the eyebrows when headgear is removed, or interfere with proper wearing of the headgear. The primary consideration is a neatly groomed hairstyle in relation to the individual's type of hair.

Sideburns are permitted, but they are to be even width (not flared) and end with a clean-shaven horizontal line. Sideburns cannot extend below the middle of the ear. In most instances, mustaches also are permitted but must be kept neatly trimmed so that they don't appear ragged. No eccentricities, such as long, drooping mustaches, are permitted.

Such articles as pencils, pens, watch chains/fobs, pins, jewelry, handkerchiefs, combs, cigars, cigarettes, or pipes must not be worn or carried exposed upon the uniform. Wristwatches, bracelets, and inconspicuous rings (one ring per hand is authorized, plus a wedding ring), but no oddities of dress, such as earrings, are permitted. While in uniform, men may wear one necklace or choker; but it must not be visible.

Navy personnel assigned to Marine Corps units, when wearing Marine Corps uniforms, shall abide by the grooming standards established for Marines; otherwise, when wearing Navy uniforms (including fatigues), they must abide by Navy regulations.

GROOMING STANDARDS FOR WOMEN

Hair must be neatly arranged and styled to present a feminine appearance but may not fall below the lower edge of the uniform collar. No hair is to show under the front brim of the hat. The only ornaments permitted in the hair are bobby pins (inconspicuously arranged) and barrettes (two maximum) of a color that matches the hair.

Fingernails must not exceed 1/4 inch measured from the tip of the finger. Nail polish must be a soft shade, complementary to the skin tone.

Cosmetics should be of conservative color and applied sparingly. No eccentricities or faddishness of dress, jewelry, or grooming is permitted. No pencils, pens, pins, handkerchiefs, or jewelry may be worn or exposed on the uniform. Earrings must be the 6-mm ball (approximately 1/4 inch) type with a brushed matte finish; either the screw-on or post type may be worn. E-6 and below must wear silver earrings; CPOs and officers must wear gold. Small single pearl earrings are authorized for dinner or formal dress uniforms. While in uniform, women may wear one necklace or choker; but it must not be visible.

The wearing of the maternity uniform is mandatory for all pregnant women in the Navy when a uniform is prescribed and regular uniforms no longer fit.

REVIEW QUESTION

- Q10. While in uniform women may wear both a necklace and a choker.
1. True
 2. False
-

SUMMARY

This chapter has covered the Navy's view of discipline as a method of training that corrects, molds, strengthens, or perfects mental faculties and character. The general authority and organizational authority of a petty officer was explained as well as what a lawful order means. You have seen how unique the Navy is in giving you added responsibility and letting you develop to the fullest. You know how to report a violation properly by using the report chit. You have seen the processing of a chit through the chain of command, and you are aware of the importance of the rights of the accused.

You should understand that along with your responsibility you need to use good judgment when reporting major offenses. Some ideas were presented on how to correct minor violations through counseling, extended working hours, or the temporary loss of special privileges.

No matter what your position, as a petty officer, you are a disciplinarian for the Navy. You will use at one time or another every form of discipline to get the job done. How you fare will depend on your approach. As a petty officer, you have the responsibility to help maintain good order and discipline within the Navy. When you place a person on report, you are stating that all other methods to maintain good order and discipline have failed. That means the only action left is for the command to take appropriate disciplinary action

against the person who has violated the *UCMJ*. Do not treat serious charges and grievances lightly. Seek the advice of someone in authority.

As a petty officer, you not only will be watched by your superiors but also by your subordinates and peers. The time you take at the barbershop/beauty shop getting a neat haircut will not only keep you looking sharp in the eyes of the civilian community and your shipmates but will give you pride in yourself. The sea bag of clothing issued to you at enlistment is to be maintained and updated with the appropriate uniforms throughout your Navy career. Take pride in your crow (slang for PO rating badge). Make sure it is sewn on properly. Your appearance in uniform reflects the pride you have in the Navy and your self-respect. Wear your uniform with pride and dignity; you'll not go wrong.

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REVIEW ANSWERS

- A1. (2) The purpose of EMI is to correct a training deficiency; however, depriving someone of normal liberty is not a purpose of EMI.
- A2. (1) As per the *Uniform Code of Military Justice*, EMI will not be assigned nor conducted on the member's Sabbath.
- A3. (2) Your responsibility as a petty officer never ends. It is a 24-hour-per-day duty that can be very trying at times.
- A4. (1) Placing a person on report means letting the proper authority know of the apparent misconduct. Your notification can be oral or in the form of a written report.
- A5. (1) You should not question any suspect but should leave that task to personnel with proper training. However, if the situation does occur, make sure you properly advise that person of his or her rights under article 31 of the *UCMJ*.
- A6. (2) A complaint of wrong is a very serious charge and should not be made lightly. The first step is to seek advice from someone in authority.
- A7. (4) The captain decides the type of court martial to award based on the nature, time, and place of the offense based on article 16 of the *UCMJ*.
- A8. (2) This type of behavior usually is not serious enough for placing a person on report. However, it does require some form of action by you such as counseling.
- A9. (1) Although male and female rating badges are different sizes on other uniforms, the rating badge on the pea coat is the same size.
- A10. (2) While in uniform, women may use one necklace or choker, but it must not be visible.

